



FH
[REDACTED]

**STATE OF WISCONSIN
Division of Hearings and Appeals**

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

CWA/156473

PRELIMINARY RECITALS

Pursuant to a petition filed March 31, 2014, under Wis. Admin. Code § HA 3.03, to review a decision by the Douglas County Department of Human Services in regard to Medical Assistance, a hearing was held on May 12, 2014, at Superior, Wisconsin.

There is no issue for determination because the agency has agreed to rescind the disenrollment.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By: Sue Hanks (IRIS)

Douglas County Department of Human Services
1316 North 14Th Street
Suite 400
Superior, WI 54880

ADMINISTRATIVE LAW JUDGE:

Michael D. O'Brien
Division of Hearings and Appeals

FINDINGS OF FACT

1. The petitioner (CARES # [REDACTED]) is a resident of Douglas County.
2. IRIS requested that the petitioner be disenrolled from the program because she failed to pay a premium when it was due.

3. Sue Hankes, an IRIS representative, notified the Division of Hearings and Appeals by an email on June 3, 2014, that IRIS and the petitioner had reached an agreement and the program would be rescinding the request that she be disenrolled.

DISCUSSION

The petitioner receives medical assistance waiver benefits through the IRIS program. She is required to pay for a portion of her medical care each month. The IRIS program referred her to the county agency to end her benefits because she failed to pay a premium. At the hearing, the parties indicated that the matter might be settled. On June 3, 2014, Sue Hankes of IRIS sent me an email that it had been settled. I will remand this matter to the county agency to end the disenrollment proceedings. Nevertheless, the petitioner should understand that if she does not follow through on the agreement, IRIS and the county agency can bring a new action against her.

CONCLUSIONS OF LAW

There is no issue for determination because the petitioner and IRIS have resolved their differences.

THEREFORE, it is

ORDERED

That this matter is remanded to the county agency with instructions that within 10 days of the date of this hearing it take all steps necessary to end the petitioner's disenrollment in the IRIS program. Nothing in this decision prevents IRIS or the county agency from initiating new disenrollment proceedings if the petitioner fails to follow through on the agreement that resolved this matter.

REQUEST FOR A REHEARING

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, Madison, Wisconsin 53703, **and** on those identified in this decision as "PARTIES IN INTEREST" **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Madison,
Wisconsin, this 5th day of June, 2014

\sMichael D. O'Brien
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on June 5, 2014.

Douglas County Department of Human Services
Bureau of Long-Term Support